

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
UNITED STATES OF AMERICA,

-against-

AFFIDAVIT  
07 CR 387 (CM)

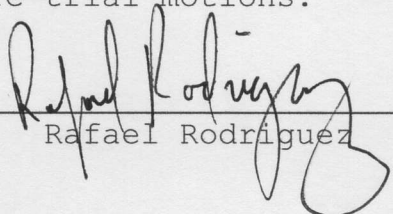
RAFAEL RODRIGUEZ,  
Defendant.  
-----X

STATE OF NEW YORK       )  
                                  ) ss.:  
COUNTY OF WESTCHESTER)

RAFAEL RODRIGUEZ, being duly sworn, deposes and says:

On January 3, 2007, I was a passenger in a vehicle driven by Jorge Flores. Flores was parking the car in front of his house, which is located in Passaic County, New Jersey. As I was exiting the vehicle, a police officer grabbed me, ordered me to "freeze" and placed me against the passenger side of the vehicle and began to search me. At that time, the officer felt the bullet proof vest which I was wearing under my long sleeve tee shirt. On top of my RR tee shirt I wore a hooded zipper front swearshirt.

I respectfully request that the Court grant the relief requested by attorney in the pre-trial motions.

  
\_\_\_\_\_  
Rafael Rodriguez

Sworn to before me on  
this 8<sup>th</sup> day of April, 2008

PAUL P. RINALDO  
Notary Public, State of New York  
No. 4641729  
Qualified in Westchester County  
Commission Expires Dec. 31, 2010

